



TOWN OF LAKEVILLE MEETING POSTING & AGENDA

*Town Clerk's Time Stamp
received & posted:*

*48-hr notice effective
when time stamped*

Notice of every meeting of a local public body must be filed and time-stamped with the Town Clerk's Office at least 48 hours prior to such meeting (excluding Saturdays, Sundays and legal holidays) and posted thereafter in accordance with the provisions of the Open Meeting Law, MGL 30A §18-22 (Ch. 28-2009). Such notice shall contain a listing of topics the Chair reasonably anticipates will be discussed at the meeting.

Name of Board or Committee:	<u>Community Preservation Committee</u>
Date & Time of Meeting:	<u>September 21, 2022 @7pm</u>
Location of Meeting:	<u>Lakeville COA- 1 Dear Crossing Lakeville, MA</u>
Clerk/Board Member posting notice:	<u>Nancy Yeatts</u>

Cancelled/Postponed to: _____ (circle one)

Clerk/Board Member Cancelling/Postponing: _____

A G E N D A

- 1 **Communications:**
 - A. review memo from the Community Preservation Coalition/ discussion
 - B. review memo from the Town Administrator/ discussion
- 2 **Open Meeting Law/ review protocols/ clarify procedures for Agenda items**
- 3 **Ratify vote to send CPC Budget request to Select Board for Fall Town Meeting**
- 4 **Withdraw request for \$5,000 administrative funding from the General Fund**
- 5 **Draft CPA Revised Survey/ discussion/ possible vote**
- 6 **Lakeville Arts Festival/available materials/ sign up for booth /discussion/ possible vote**
- 7 **CPC Outline/discussion/possible vote**
- 8 **Review Mission Statement and CPA Overview/discussion/possible vote**
- 9 **Approve Minutes**
- 10 **Set Next Regular Meeting Date(s)/ Agenda**

Please be aware that this agenda is subject to change. If other issues requiring immediate attention of the Community Preservation Committee arise after the posting of this agenda, they may be addressed at this meeting.



Nancy Yeatts <eaglelady27@gmail.com>

Coalition Advice

6 messages

Michele MacEachern <shell42880@gmail.com>
To: Nancy Yeatts <eaglelady27@gmail.com>

Mon, Sep 19, 2022 at 9:40 AM

Please see below:

As for Michele's question about the possibility of obtaining \$5000 in general funds for your first year administrative costs, you don't want to do that. Has the warrant closed yet for your fall Town Meeting? If not, you still have time for the CPC to recommend an FY23 CPA budget to that Town Meeting, and you can include administrative money in there.

Here's how to accomplish this:

1. Ask the Select Board to put a placeholder article on the warrant for the FY23 CPA Budget, before the warrant closes.
2. Find out when the warrant will be signed. Hopefully that will be after your CPC meeting and training scheduled for September 13th.
3. When you prepare the agenda for your 9/13 meeting, be sure to place an item on the agenda labeled "Discussion and vote on FY23 CPA Budget for Fall Town Meeting."
4. I will bring the proper format for a CPA budget to the September 13th meeting and teach you all about budgeting. Then the CPC can vote on an FY23 budget that night and send the wording to the Select Board for the fall warrant.

I am only working today, and am off for the rest of the week. We can pick up this conversation next week.

Good luck at tonight's meeting!

Stuart

Stuart Saginor

Executive Director

Community Preservation Coalition

6 Beacon St, Suite 615





Nancy Yeatts <eaglelady27@gmail.com>

CPC Article Follow Up

11 messages

Ari Sky <asky@lakevillema.org>

Thu, Sep 15, 2022 at 2:15 PM

To: Richard LaCamera <rlacamera@lakevillema.org>, Lia Fabian <lfabian@lakevillema.org>, Lorraine Carboni <lcarboni2@lakevillema.org>, "eaglelady27@gmail.com" <eaglelady27@gmail.com>, "Amyknox95@gmail.com" <Amyknox95@gmail.com>, "bnlafave@gmail.com" <bnlafave@gmail.com>, "shell42880@gmail.com" <shell42880@gmail.com>, Susan <sspieler@comcast.net>, "Barbara@standishenterprise.com" <Barbara@standishenterprise.com>, "owenlacy@yahoo.com" <owenlacy@yahoo.com>, "hydrangea2011@gmail.com" <hydrangea2011@gmail.com>

Cc: Marc Resnick <mresnick@lakevillema.org>, "Todd Hassett, Lakeville Town Accountant" <thassett@lakevillema.org>, Christina Cotsoridis <ccotsoridis@lakevillema.org>

All -

As you know, the Community Preservation Committee considered an article at their meeting Tuesday recommending initial appropriations from the Community Preservation Act for FY 2023. This process raises a number of issues that I believe are worth identifying as the implementation of the CPA moves forward.

It is my understanding that much of the CPC's activity to date has been in response to discussions with the Community Preservation Coalition. While undoubtedly an effective group, I think it is important to note that the Coalition does not operate in an official capacity, and that guidance regarding implementation requirements and procedures are determined entirely by State law and guidance from the Department of Revenue. I have therefore taken the liberty of reaching out to our contacts at DOR to review the article under consideration and to provide guidance on next steps, and I have consulted with Town Counsel to clarify the process for submitting CPA articles for Town Meeting. I have also attached a copy of the State 2019 Information Guideline Release, which provides guidance and discusses legal requirements regarding CPA implementation and administration.

The first issue to note involves the process for consideration of the article. The State's IGR recommends that any attempt at appropriation should be preceded by the development of an official revenue estimate. To my knowledge, an FY 2023 estimate was not requested prior to the development of the article. We have therefore requested that the Board of Assessors provide an estimate ASAP. When reviewing the estimated revenue, I would advise the CPC to keep two important considerations in mind:

1. State match funding is provided retrospectively, in the subsequent fiscal year. As a result, there will be no State CPA match provided to the Town in FY 2023.
2. State law mandates that any shortfall in actual collections relative to the CPA budget must be added to the following year's tax bill. It is therefore highly advisable to estimate conservatively, especially for the first year as there will be no history on which to base projected performance.

Secondly, it is my understanding that the draft article was not posted for consideration on the September 13 agenda. The CPC's consideration was therefore in violation of Open Meeting Law, and will need to be repeated at the committee's next meeting to be valid. For reference, the Town Meeting warrant is scheduled to close on September 22.

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(over)

DOR's guidance indicated that the draft article is technically allowable, although with several caveats that make the actual impact relatively inconsequential:

1. The budgeted reserve, which is the largest component, may only be utilized for specific projects to be approved by Town Meeting. Therefore, the first practical opportunity to utilize those funds will be at next May's annual town meeting.
2. The minimum 10% reserves may be designated by either the CPC or the Town Accountant at year end closeout. Deferring to the Town Accountant has the advantage of allowing the reserve designation to match actual revenue, meaning that there will be no need to make corrective adjustments in FY 2024.
3. The administrative funding could be utilized in FY 2023, subject to the Committee's development of an administrative budget. However, I would note that the Select Board has already indicated a willingness to provide startup funding from the General Fund in FY 2023, thereby negating the need to obligate CPA revenue. Also, please bear in mind that any personnel requests involving temporary or permanent staffing would be subject to the Town's personnel policies.
4. Once properly considered by the CPC, the Select Board's approval is required to include the article in the Town Meeting warrant.

Thank you for your consideration of these important matters. Please do not hesitate to reach out to me or Marc Resnick if you have any questions or comments. I would also remind everyone to reply individually to comply with open meeting requirements.

Ari J. Sky, ICMA-CM

Town Administrator

Town of Lakeville

346 Bedford Street

Lakeville, Massachusetts 02347

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(508) 946-8803



CPA SAMPLE ANNUAL BUDGET ARTICLE

ARTICLE XX. To see if the Town will vote to appropriate or reserve from the **Community Preservation Fund** annual revenues in the amounts recommended by the **Community Preservation Committee** for committee administrative expenses, community preservation projects and other expenses in fiscal year 2023, with each item to be considered a separate appropriation:

Appropriations:

From FY 2023 estimated revenues for Committee Administrative Expenses **\$ 10,000**

Reserves:

From FY 2023 estimated revenues for Historic Resources Reserve **\$ 20,000**

From FY 2023 estimated revenues for Community Housing Reserve **\$ 20,000**

From FY 2023 estimated revenues for Open Space Reserve **\$ 20,000**

From FY 2023 estimated revenues for Budgeted Reserve **\$ 130,000**

Sponsored by the Community Preservation Committee

September 1, 2022

Ari Sky

Town Administrator

346 Bedford Street

Lakeville, Ma 02347

Re: CPC Administrative Funding

On behalf of the Community Preservation Committee (CPC) I am requesting that the Select Board add a Warrant Article to the Fall Town Meeting for a budget of \$5000 for CPC administrative costs.

We are charged with writing a Community Preservation Plan and because CPA money will not be available to us until July 1, 2023, a small budget to cover any administrative costs that might be incurred in our first year would be helpful.

Thank you for your consideration,

Nancy Yeatts; Chairman

Community Preservation Committee.

Lakeville Community Preservation Act [CPA] Resident Survey

Lakeville passed CPA on 4/4/22 which will be implemented in 2023. CPA funds must be used for the three categories of: Open Space and Recreation, Historic Preservation, and Community Affordable Housing. This survey will be used to create Lakeville's Community Preservation Plan [CPP] and ensure it accurately depicts the resident's goals for CPA fund.

1. Have you heard about the CPA and/or the CPC in Lakeville? (circle one) YES NO

2. How did you hear about the CPA? _____

3. Rank Each of the following Open Space Goals in order of Importance from 1 to 5;

* 1 Representing MOST Important and 5 Representing LEAST Important:

____ To protect and preserve Lakeville's natural resources including water and unique wildlife habitats, for the benefit of present and future generations.

____ To preserve the rural character and atmosphere of Lakeville.

____ To promote and preserve the role of agriculture and agricultural lands in Lakeville.

____ Recommend parcels to be designated for conservation status, water-shed lands.

____ To develop a linked system of conservation and recreation areas, prioritizing parcels that abut existing protected land parcels.

4. Rank Each of the following Recreation Goals in order of Importance from 1 to 10;

* 1 Representing MOST Important and 10 Representing LEAST Important:

____ To upgrade existing recreational facilities and programs appropriate for all demographic groups of Lakeville residents.

5. Rank Each of the following Historic Preservation Goals in order of Importance from 1 to 4;

* 1 Representing MOST Important and 4 Representing LEAST Important:

____ Recognize, preserve, and enhance the historic heritage of the Town of Lakeville.

____ Optimize the use and enjoyment of the Town's historic resources by residents and visitors.

____ Preserve natural and man-made features that contribute to Lakeville's character such as open fields, cranberry bogs, country roads, scenic vistas, stonewalls, and historic farms and houses.

____ Restore those natural and man-made features that have been degraded or impaired.

**6. Rank Each of the following Affordable Housing Goals in order of Importance from 1 to 6;
* 1 Representing MOST Important and 6 Representing LEAST Important:**

- Strive to meet our housing requirements under Chapter 40B.
- Ensure that new affordable housing is harmonious with the existing.
- Provide affordable housing for seniors.
- Provide affordable housing for first time homebuyers.
- Provide affordable housing for veterans.
- Strive to keep the current affordable units in perpetuity rather than see those units expire.

7. How would you prioritize the use of Lakeville's CPA fund? *Rank in order of importance, 1 Representing MOST important and 4 Representing LEAST important:

- Open Space Recreation Historic Affordable Housing

8. Should CPA funds be used to promote public awareness, use, and education regarding Lakeville's historic and natural resources, and conservation and recreational goals? (circle one)
YES NO

9. CPA Funds may be used to preserve open space, historical items, affordable housing and create outdoor recreation. How would you like to see CPA funds used in Lakeville?

Open Space:
Recreation:
Historic:
Affordable Housing:

10. What other thoughts or advice do you have for the CPC?

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Thank you for taking our survey! Results will be posted to the CPC page on the Lakeville town website.

Please sign up at: Subscribe to News | Lakeville MA for email alerts from the CPC.

Major Tasks	Activities	Responsible Party	Proposed Time Frame
<p>Enact internal mechanisms for Community Preservation Act [CPA] acceptance and administration</p>	<ul style="list-style-type: none"> Notify the DOR of the Town's acceptance of the CPA on the April 2022 ballot. Clarify/confirm expectations and requirements internally between Town Administrator, Accounting, Assessors, Treasurer and Town Clerk to ensure July 1, 2022 tax surcharge begins on time. Develop anticipated revenue figure. The CPC must allocate annually 10% for open space preservation, 10% for historic resource preservation, 10% for affordable housing, and may allocate up to 5% for administrative support with approval through Town Meeting The necessary CP-1, CP-2 & CP-3 forms are submitted to DOR 	<p>Town Clerk Town Admin. Treasurer/ Accounting</p>	<p>April 2022 April 2022 Fall 2022</p>
<p>Appoint a CPC</p>	<ul style="list-style-type: none"> Select Board requests applications for CPC positions and designations from committees named in the by-law. The CPC by-law outlines the CPC's composition, length of member terms, the appointment of at large positions by the Select Board, and the responsibilities of the new committee. The by-law states that the CPC may have up to eight members, is made up of nine members, five required members (one from each of the following: Conservation Commission, Planning Board, Historical Commission, Housing Authority, Park Commission, and Open Space) and three at-large members. In addition, the by-law as adopted in 2021 includes a member from the housing authority, a body which does not currently exist. Each Board, Commission, and Committee appoints the five- six required CPC members from the respective town boards and the Selectboard appoints the three at large members of the general public. 	<p>Select Board Appointing Committees</p>	<p>May – June 2022 & Yearly as Appointments Expire</p>
<p>Develop and approve a Community Preservation Plan [CPP]</p>	<ul style="list-style-type: none"> CPC meets and develops Community Preservation Plan [CPP], with the support of staff. The CPC will develop and adopt an outline for the first Community Preservation Plan [CPP], will that should include a study of the needs, possibilities and resources of the community with regards to community preservation and should include meeting by consulting with other municipal boards and committees (e.g. Conservation 	<p>CPC Planning</p>	<p>July - October 2022 September Yearly</p>

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	<p>Commission, Historic Commission, Open Space Committee and Park Commission) to get their input.</p> <ul style="list-style-type: none"> • Subsequent meetings, The CPC shall hold properly Noticed Informational public hearing/s at a minimum of once per year to provide opportunities for the CPC and general public to deliberate and prioritize community needs to be articulated in the CPP draft. • Once its research is complete, the CPC is responsible for developing a local CPA plan CPP that will guide its decision-making on CPA project proposals. • CPC may vote to hire an outside entity to help create the CPP using the 5% Administrative portion of CPA fund approved through Town Meeting. • CPC support staff or Town staff develop "final" draft CPP for CPC and public review/comment. • CPC adopts approves CPP. plan. • CPP is reviewed and updated on a yearly basis 	
<p>Creating framework for receiving proposals- Applications</p>	<ul style="list-style-type: none"> • Administrative protocols are created with staff support outlined within the CPP. • The CPC develops CPP includes an applications process, and reviews procedures and deadlines for submission, review and recommendations submission guidelines, and evaluation criteria. • Process should be transparent and open to all eligible applicants. (?) • The CPP will be available for applicants on the CPC webpage found at: (insert web address) • The application process is reviewed yearly along with CPP and updated as-needed. 	<p>October— November 2022</p> <p>July - September</p> <p>Yearly</p> <p>CPC Planning</p>
<p>Selecting and Recommending Project Applications for Funding executing proposals</p>	<ul style="list-style-type: none"> • Funding proposals Preliminary Applications requested, returned, reviewed, and recommended. • Funding solicitations made. • Proposals- Project Submission Forms are reviewed and evaluated with recommendations for projects consistent with the goals of CPP the most compelling projects prepared for Town Meeting. • CPC develops recommended funding package for Annual Town Meeting. • Town Meeting considers and votes on funding package. 	<p>December 2022— May 2023</p> <p>September – May</p> <p>Yearly</p> <p>CPC Planning Town Meeting</p>
<p>Monitoring and evaluating selected proposals- Projects</p>	<ul style="list-style-type: none"> • CPC oversees funded activities. • CPC and/or staff monitors ongoing funded activities and provides interim and final reports as to progress, activities and budgeting. 	<p>June 2023</p> <p>Yearly</p> <p>CPC Planning Town</p>

	• Preparations are made for next round of funding, and programming	Accountant	
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CPA Overview:

The Community Preservation Act (CPA) is a smart growth tool that helps communities preserve open space and historic sites, create affordable housing, and develop outdoor recreational facilities. On April 4, 2022, Lakeville became the 188th community to pass CPA. Until this point, there was no steady funding source for preserving and improving a community's character and quality of life. The CPA is a 1% surcharge on your real estate tax minus \$100,000 exemption which goes into a special fund and receives a state match annually. The match comes from a fee that is charged state-wide at the registry of deeds and is distributed among the communities that have adopted CPA. The state match varies from year to year depending on the number of communities that have CPA and the revenue received from the registry of deeds in fees. In the past few years, state legislation has allocated state budget surplus funds into the CPA Trust fund to increase the amount of money going to CPA communities. The match can be anywhere from 23-53%. For the average assessed home in Lakeville, the total surcharge is around \$40 per year. Low income and seniors can file for an exemption with the assessor's office. There are three categories to which CPA funds must be spent: 10% Open Space/Recreation, 10% Community/Affordable Housing, 10% Historic Preservation with the remaining 70% used toward any of the three categories, which 5% can be used toward administration of the CPA. Additional Funds can be obtained by bonding against future CPA revenue stream in order to fund large projects for which adequate CPA funds are not currently available. Another method of obtaining additional funds is leveraging from state and federal grant programs, other local funds, non-profit organizations, and/or private entities.

The first responsibility for this Committee is to study the needs, possibilities and resources of the community with regards to community preservation. In performing this research function, the CPC must meet and consult with other municipal boards and committees to get their input, and must hold at least one public hearing annually to get input from the general public. Following its research, the CPC is responsible for developing a local CPA plan to guide its decision-making on CPA project proposals.

The second responsibility of the CPC is to accept project proposals from the community and town boards by way of an application, conduct a review, and make recommendations to the community. Once the CPC has voted on any projects to recommend, along with the specific dollar amounts and CPA funding sources it recommends to complete them, it will be presented to the Town Meeting for the residents to vote.

CPA funds, which are kept separate from the town budget and cannot be used for any other purpose by the town, do not have to be spent every year so they can be left in Lakeville's local CPA fund for use in the future. CPA projects are proposed by the residents and are approved by the residents only at town meeting. After five years, if Lakeville so chooses, CPA can be removed. However, any funds that have been bonded need to be paid off first before the town will no longer collect the surcharge. Out of all the communities that have CPA, not one has decided to have it removed.

⑧

Mission Statement

The mission of the Lakeville Community Preservation Committee (CPC) is to maintain the rural character of Lakeville, as a beautiful residential community rich in natural resources.

As per the Community Preservation Act it is our mandate to create and maintain a Community Preservation Plan (CPP) that will protect, expand, or enhance open space, historic resources, affordable housing and outdoor recreation.

By utilizing community goals set forth in our Master Plan and Open Space and Recreation Plan and through a series of public meetings inviting community input, the CPC will recommend to Town meeting projects that it feels are consistent with the Towns long term planning goals and will provide the maximum benefit for the citizens of Lakeville.